

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	4:10-CR-00609
	§	
SANDRA ELIZABETH CUNNINGHAM	§	

**MOTION FOR SUBSTITUTION OF COUNSEL AND
FOR LEAVE TO APPEAR AS ATTORNEY-IN-CHARGE**

TO THE HONORABLE EWING WERLEIN, JR., U.S. DISTRICT JUDGE

Melissa Martin, attorney, respectfully moves that this Court permit her to substitute in place of Edward A. Mallett and to appear as attorney-in-charge for Sandra Elizabeth Cunningham, Defendant.

As grounds:

1. The Defendant has advised her previous retained counsel, Edward A. Mallett, that she wishes to discharge Mr. Mallett and retain Melissa Martin. Mr. Mallett has no objection to this substitution of counsel.
2. Ms. Martin left a message for AUSA Jennifer Lowery on September 24, 2010.
3. Sandra Cunningham, the Defendant, has a constitutional right to representation by her attorney of choice. *United States v. Gonzalez-Lopez*, 126 S. Ct. 2557 (2006).

WHEREFORE, PREMISES CONSIDERED, the Defendant prays that this Motion be granted. A proposed Order is attached.

Respectfully submitted,

/S/ Melissa Martin

Melissa Martin
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Houston, Texas 77002
Tel: (713) 236-1900
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CERTIFICATE OF CONFERENCE

Counsel has left a message for AUSA Jennifer Lowery.

/S/ Melissa Martin

MELISSA MARTIN

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of September 2010, I electronically filed the foregoing Motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

1. Jennifer Lowery
Assistant United States Attorney

I further certify that I hand delivered a copy of this motion to Edward Mallett at 600 Travis, Suite 1900, Houston, TX 77002.

/S/ Melissa Martin

MELISSA MARTIN

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ORDER

It is hereby ORDERED that the foregoing Motion for Substitution of Counsel and For Leave to Appear is hereby:

GRANTED

DENIED

And further ORDERED that Edward A. Mallett is allowed to withdraw and Melissa Martin is substituted as attorney-in-charge in the above styled case.

SIGNED and DATED this _____ day of September 2010.

HONORABLE EWING WERLEIN, JR.
U.S. DISTRICT JUDGE